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§13–4601. ** TAKES EFFECT JULY 1, 2023 PER CHAPTER 26 OF 2022 **

(a) (1) There is a Community Reinvestment and Repair Fund.

(2) The purpose of the Fund is to provide funds to community-based organizations that serve communities determined by the Office of the Attorney General to have been the most impacted by disproportionate enforcement of the cannabis prohibition before July 1, 2022.

(3) The Comptroller shall administer the Fund.

(4) (i) The Fund is a special, nonlapsing fund that is not subject to § 7–302 of the State Finance and Procurement Article.

(ii) The State Treasurer shall hold the Fund separately, and the Comptroller shall account for the Fund.

(5) The Fund consists of:

(i) Revenue distributed to the Fund that is at least 30% of the revenues from adult-use cannabis;

(ii) Licensing fees paid by dual-licensed cannabis establishments; and

(iii) Any other money from any other source accepted for the benefit of the Fund, in accordance with any conditions adopted by the Comptroller for the acceptance of donations or gifts to the Fund.

(6) (i) The Fund may be used only for:

1. Funding community-based initiatives intended to benefit low-income communities;

2. Funding community-based initiatives that serve communities disproportionately harmed by the cannabis prohibition and enforcement; and

3. Any related administrative expenses.

(ii) Money may not be expended from the Fund for law enforcement agencies or activities.

(iii) Money expended from the Fund is supplemental to and may not supplant funding that otherwise would be appropriated for preexisting local government programs.

(7) The State Treasurer shall invest the money of the Fund in the same manner as other State money may be invested.

(8) No part of the Fund may revert or be credited to:

(i) The General Fund of the State; or

(ii) Any other special fund of the State.

(9) The Comptroller shall pay out money from the Fund.

(10) The Fund is subject to audit by the Office of Legislative Audits as provided for in § 2–1220 of the State Government Article.

(b) (1) The Comptroller shall distribute funds from the Fund to each county in an amount that, for the period from July 1, 2002, to June 30, 2022, both inclusive, is proportionate to the total number of cannabis arrests in the county compared to the total number of cannabis arrests in the State.

(2) (i) Subject to the limitations under subsection (a)(6) of this section, each county shall adopt a law establishing the purpose for which money received from the Fund may be used.

(ii) On or before December 1 every 2 years, beginning in 2024, each local jurisdiction shall submit a report to the Governor and, in accordance with § 2–1257 of the State Government Article, the Senate Budget and Taxation Committee, the Senate Finance Committee, the House Judiciary Committee, and the House Health and Government Operations Committee on how funds received from the Fund were spent during the immediately preceding 2 fiscal years.

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